

## WARREN COUNTY BOARD OF SUPERVISORS

**COMMITTEE:** FINANCE COMMITTEE

**DATE:** AUGUST 9, 2006

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**COMMITTEE MEMBERS PRESENT:**

Supervisors Monroe  
Belden  
Stec  
O'Connor  
Bentley  
Tessier  
Champagne  
VanNess  
Kenny

**OTHERS PRESENT:**

Joan Parsons, Commissioner of Administrative  
& Fiscal Services  
Joan Sady, Clerk, Board of Supervisors  
Paul Dusek, County Attorney  
Richard Murphy, Deputy Commissioner of  
Fiscal Services  
Supervisors Barody  
Gabriels  
Haskell  
Merlino  
F. Thomas  
Sheriff Cleveland  
Julie Pacyna, Purchasing Agent  
Richard Kelly, Personnel Officer  
William Remington, DPW Superintendent  
Mayor Akins, City of Glens Falls  
Maury Thompson, The Post Star  
J. Lawrence Paltrowitz, Esq.  
Cameron Tessier

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Mr. Monroe called the meeting of the Finance Committee to order at 10:30 a.m.

Motion was made by Mr. VanNess, seconded by Mr. Tessier and carried unanimously to approve the minutes of the July 5, 2006 meeting, subject to correction by the Clerk.

Copies of the Finance Agenda were provided to the Committee members, and a copy of the same is on file with the minutes.

Mr. Monroe referred to Item 1 of the Agenda, Request for Transfer of Funds within the existing budget, for which Supervisory Committee approval had already been obtained.

Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously, approving same and authorizing the necessary resolution for the next Board meeting.

Mr. Monroe apprised that Item 2 of the Agenda was a referral from the County Clerk-Motor Vehicle Committee amending the 2006 County budget to increase estimated revenues and appropriations in the amount of \$29,040 to accept funds received from the LGRMIF (Local Government Records Management Improvement Fund) for the Warren County Clerk's Office.

Motion was made by Mr. Champagne, seconded by Mr. Kenny and carried unanimously to approve the request to amend the budget as outlined above and the necessary resolution was

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authorized for the next Board meeting.

Items 3A and 3B of the Agenda, Mr. Monroe advised, were Referrals from the Criminal Justice Committee. He explained that Item 3A was a request to amend the 2006 County Budget to increase estimated revenues and appropriations in the amount of \$17,489.08 to reflect receipt of funds available from the Aid to Prosecution 2002 unused grant money into the Narcotics Control Investigator full time salary code. Mr. Monroe said that Item B was a request to amend the 2006 County Budget to increase estimated revenues and appropriations to reflect the 8% increase in salaries for the Public Defender's staff. He noted that the 8% increase was contingent on there being no requests for salary increases for 2007.

Motion was made by Mr. VanNess, seconded by Mr. Tessier and carried unanimously to approve Items 3A and 3B as outlined above and the necessary resolutions were authorized for the next Board meeting.

Mr. Monroe stated that Items 4A through 4C were Referrals from the DPW Committee. He apprised that Item 4A requested an increase to Capital Project No. H250.9550 280, Highway Equipment Storage Building Roof, in the amount of \$70,000 with the source of funding to come from Capital Project No. H233.9550 280 Cooling Tower Replacement in the amount of \$56,000 and Capital Project No. H248.9550 280 Glen Athol Culvert over No. 9 Brook in the amount of \$14,000. He noted that Items 4B and 4C were related to 4A, as 4B detailed the decrease of Capital Project No. H233.9550 280 Cooling Tower Replacement in the amount of \$56,000, and 4C the decrease of Capital Project No. H248.9550 280 Glen Athol Culvert over No. 9 Brook in the amount of \$14,000, as requested in 4A.

Mr. VanNess asked if the \$70,000 requested was an increase to the original low bid, to which Mrs. Parsons replied that approximately \$100,000 had been budgeted for the project; however, she said, the bids had come back higher than that amount. She added that because the roof replacement was necessary, they had searched for the funds in other Capital Projects. Mr. Monroe asked if the projects, from which the funds would be transferred, were complete. Mrs. Parsons explained that the Glen Athol Culvert project was finished and the excess funds were to be transferred. She said the funds for the Cooling Tower project had been in place for two years but due to the proposed building changes it did not appear as if the Cooling Tower would be needed. Mrs. Parsons noted that it was recommended to transfer the funds from the Cooling Tower Project, as that project might not be necessary, rather than to transfer the money from Surplus Funds.

Motion was made by Mr. Stec, seconded by Mr. Bentley and carried unanimously to approve Items 4A - C as outlined above. The necessary resolutions were approved for the next Board meeting.

Continuing, Mr. Monroe advised that Item 5 was a referral from the Federal Programs Committee for the Employment and Training Administration, requesting that the 2006 County Budget be amended to increase estimated revenues and appropriations in the amount of \$187,710.97 to reflect the receipt of WIA (Workforce Investment Act) funds.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve

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the request as outlined above and the necessary resolution was authorized for the next Board meeting.

Mr. Monroe related that Item 6 was a referral from the Health Services Committee to amend the 2006 County Budget to increase estimated revenues and appropriations in the amount of \$53,200 to reflect the receipt of funds to purchase Telemedicine equipment.

Motion was made by Mr. Champagne, seconded by Mr. Tessier and carried unanimously to approve the request as outlined and the necessary resolution was authorized for the next Board meeting.

Agenda Items 7A and 7B, Mr. Monroe explained, were referrals from the Real Property Tax Services Committee. Item 7A, he said, requested authorization for the County Treasurer to advertise for the sale of County owned property, a one family dwelling in Queensbury, (parcel 309.9-3-24), by sealed bid with a required minimum bid of \$20,000. Mr. Monroe added that Item 7B was a request to authorize the County Treasurer to advertise for the sale of County owned commercial building property in Queensbury, (parcel 303.20-1-12).

Mr. Monroe noted that the property described in Item 7A was fractionally owned by Warren County. Mrs. Parsons confirmed Mr. Monroe's statement and added that 50% of the property was owned by Warren County.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve Items 7A and 7B as outlined above and the necessary resolutions were authorized for the next Board meeting.

Mr. Monroe expounded that Items 8A and 8B of the Agenda were referrals from the Tourism Committee. Item 8A, he advised, was a request to amend the 2006 Tourism Budget to increase estimated revenues and appropriations in the amount of \$88,328.75 to reflect the receipt of Travel Guide Ad Revenue not originally budgeted. Mr. Monroe apprised that item 8B was a request to amend the 2006 Motorcoach/Meetings Budget, increasing estimated revenues and appropriations in the amount of \$10,888 to reflect receipt of Motorcoach & Group Tour Planner Advertising funds not originally budgeted.

Motion was made by Mr. Tessier, seconded by Mr. VanNess and carried unanimously to approve Items 8A and 8B as outlined above. The necessary resolutions were authorized for the next Board meeting.

Item 9 of the Agenda, Mr. Monroe stated, requested an amendment to Resolution No. 474 of 1989, establishing a standard work-week for the Budget Officer and Vice-Chairman of the Board. Mr. Monroe advised that if approved, the amendment would change the work schedule from 2-½ to 5 days per week for the Budget Officer and from 2-½ to 3 days per week for the Vice-Chairman and was based on a request from the Warren County Treasurer's office.

Mrs. Parsons said that she had received a call from the Payroll Department because they noticed the number of hours Mr. Caimano was working as Budget Officer, but did not know what figure to use for retirement reporting. She advised that she had discussed the situation with Paul

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Dusek, County Attorney, and found that each Supervisor received 2-½ days per week for retirement reporting; the Budget Officer received an additional ½ day per week and the Chairman of the Board received an additional 2-½ days per week, she noted. Mrs. Parsons said that in speaking with Chairman Thomas it was decided that given the number of hours worked by Mr. Caimano, the total for retirement reporting for the Budget Officer position should be increased to 2-½ days, totaling 5 days per week for Mr. Caimano. She added that the issue had never been addressed for the Vice Chairman and the decision was made to increase the hours reported for Retirement purposes for this position also, and the change would be retroactive to the date the Vice-Chairman position was appointed.

Mr. Kenny stated that Mr. Caimano was hired under a separate umbrella to be a Tourism consultant and Mrs. Parsons replied that the title had never changed and that he was still the Budget Officer. Mr. Kenny asked if the increase was included in the budget, to which Mrs. Parsons advised that it was. Mr. Monroe added that if the additional duties were removed from the position the Committee could decide to decrease the number of days reported accordingly. Mr. O'Connor asked if the change would have any impact upon salary and Mrs. Parsons advised that it would not. Mr. Monroe noted that because he was Vice-Chairman he would abstain from the vote.

Motion was made by Mr. VanNess, seconded by Mr. Bentley to amend Resolution 474 of 1989 as outlined above, retroactive to the date the Vice-Chairman position was created and having no impact on salary.

A roll call vote followed -

Ayes - Mr. VanNess, Mr. Stec, Mr. O'Connor, Mr. Tessier, Mr. Bentley, Mr. Champagne, Mr. Kenny and Mr. Belden

Abstained - Mr. Monroe

The motion was carried.

Returning to the agenda, Mr. Monroe advised that Item 10 of the Agenda was a request by Julie Pacyna, Purchasing Agent, to address the Committee with regard to a transfer of office equipment to the Town of Lake Luzerne.

Privilege of the floor was extended to Mrs. Pacyna, who said that she had been contacted by the Town of Lake Luzerne, who was seeking a desk for its new Highway Building. She advised that Mr. McClain, of the Town of Lake Luzerne, had reviewed the inventory and was interested in a desk; however she had no authority to transfer ownership of the property to the Town. Mrs. Pacyna asked if such requests should be reviewed by the Committee on an individual case basis or if an alternative policy could be devised to allow for the transfers. Mr. VanNess stated that he felt each request should be handled on a case-by-case basis, and in this case the desk should be transferred free of charge, if legally possible. Mr. Monroe advised that if the transfer were made to another municipality they were able to legally transfer the furniture free of charge.

Mr. Champagne asked what the routine procedure for the removal of surplus furniture was and Mrs. Pacyna advised that there had been a public auction at BOCES, (Board of Cooperative Educational Services), the prior weekend and there was also an EBAY program where approximately four to five items per week were sold. Mrs. Pacyna noted that more was received from EBAY sales than from public auction. She advised that the desk in question would have

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been put on EBAY for sale if not transferred to the Town of Lake Luzerne.

Mr. Monroe said that it was his recollection that the EBAY sales were not profitable because it cost more to sell the items online than it did to sell them otherwise. Mrs. Pacyna replied that the statement was untrue because she had not hired the part-time position to run the EBAY program and had instead split the duties between herself and her assistant.

Discussion ensued.

Motion was made by Mr. Stec, seconded by Mr. VanNess and carried unanimously to approve Item 10 as outlined above and the necessary resolution was authorized for the next Board meeting.

Mrs. Pacyna added that approximately \$28,800 was made at the Public Auction held the past week.

Mr. Monroe apprised that, as stated in Item 11 of the Agenda, Supervisor O'Connor, Chairman of the Municipal Shared Services Committee, had requested to address the Committee with respect to a request from the City of Glens Falls for \$7,500 to pay for emergency safety repairs at East Field Stadium. He noted that Mayor Akins, of the City of Glens Falls, was also in attendance to address the Committee on the matter.

Privilege of the floor was extended to Mr. O'Connor who apprised the Committee that a very productive meeting of the Municipal Shared Services Committee had been held. He said that during the meeting the determination was made by the Committee to request funds to upgrade East Field Stadium because there were several unsafe items in need of correction and the field needed to be upgraded to accommodate both the Green Jackets Football Team, with whom the City of Glens Falls had a contract, and the Glens Falls High School who also used the field for football games. Mr. O'Connor noted that currently there was a section of bleachers in the facility badly in need of repairs and Mayor Akins had estimated that it would be approximately \$7,500 to make all of the necessary repairs and upgrades.

Mr. Champagne reminded the Committee that in past years invoices had been received from the City of Glens Falls for work completed by City employees and there had been reservations on the part of some Supervisors as to whether County funds should be used to offset those costs. He asked if the proposed upgrades to East Field Stadium would be completed by City employees and if so would the \$7,500 proposed be applied to those fees.

As a representative of the City of Glens Falls, Mr. O'Connor responded that there had been issues in previous administrations of the City of Glens where requests made by the Supervisors were not followed, consequently creating bad feelings between the Supervisors and the prior administration. He added that he felt the problem would not occur during Mayor Akins' administration because their procedures were much better in several areas. Mr. O'Connor summarized that while there had been problems in the past, such as Mr. Champagne noted, he felt they would no longer present an issue; he added that he did not see where it made much difference who completed the work.

Discussion ensued between Committee members with respect to the matter.

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Privilege of the floor was extended to Mayor Akins who thanked the Committee for allowing him to address the issue at hand. He apprised that East Field Stadium was over 25 years old and was used for a regional resource to facilitate various baseball and football leagues. Mayor Akins noted that there had been memos floating around for some time that stated there were several safety and upgrade issues that needed to be addressed. In response to the memo, he said, contractors had been dispatched to give an overview of the cost to upgrade the Stadium and the figures received were as high as \$600,000.

Mayor Akins stated that in an effort to upgrade the Stadium to acceptable standards and facilitate the fall football season, an estimate of \$7,500 was given for the various materials needed to replace the broken bulbs in the overhead stadium lights, repair some of the outfield bleachers and risers, close off a section of the right field bleachers for safety reasons and to gain approval from the Department of Health for the operation of the Concession Stand. He said that although the \$7,500 could be budgeted for the repairs by the City of Glens Falls, he felt the issue should be brought to the Committee because there were several various users of the Stadium and if it were to be come part of Warren County Parks and Recreation it would be a tremendous resource.

Mr. Belden entered the meeting at 11:05 a.m.

As a side note, Mayor Akins advised that in the Common Council Meeting held the prior evening, a resolution was passed to approve the opening of a gate at the snowmobile trail head to allow access to trails in the northern portion of the area. In closing he noted that although the money would be found in their budget if necessary, the City of Glens Falls would appreciate Warren County's support whatever the value.

Mr. Stec supported Mr. O'Connor's statement that Mayor Akins' administration was an excellent group to work with and noted that in hearing Mayor Akins' explanation for the \$7,500 requested, he assumed that Mr. Champagne's concern had been relieved. He said that he supported Mayor Akins' requested for \$7,500 and also noted that he was very pleased about the opening of the snowmobile trails.

Mr. O'Connor asked Mrs. Parsons how the voucher for the \$7,500 should be presented to which Mrs. Parsons advised that the bills for the items purchased must be submitted.

Paul Dusek, County Attorney, suggested that the previous resolution authorizing a contract with the City of Glens Falls be amended to include the \$7,500 request.

Motion was made by Mr. Champagne, seconded by Mr. Stec and carried unanimously to approve the request from the City of Glens Falls for \$7,500 for immediate repairs to the East Field Stadium and amend the original contract held with the City of Glens. The necessary resolution was authorized for the next Board meeting.

Mr. Monroe noted that a source of funding needed to be determined for the funds and suggested that they be transferred from the Contingent Fund. Mr. Stec said he felt that the funds should come from the Occupancy Tax Fund, but would require more work than removing them from the Contingent Fund. Mr. VanNess agreed with Mr. Stec's statement, however Mr. Tessier disagreed, stating that the repairs did not meet the criteria for Occupancy Tax funding.

Discussion ensued between Committee members.

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Motion was made by Mr. VanNess, seconded by Mr. Belden and carried unanimously to transfer the \$7,500 requested by the City of Glens Falls from the Contingent Fund and the necessary resolution was authorized for the next Board meeting.

Returning to the agenda, Mr. Monroe explained that Item 12 of the Agenda was a request from Mrs. Parsons to address the Committee with regard to a cents per gallon rate of sales and compensating use taxes on motor fuel. Mrs. Parsons advised that there had been a \$.15 per gallon increase in the price of gasoline since the June report she had presented to the Committee and she had adjusted the report included in the Agenda accordingly. In speaking with Ken Crannell of NYSAC (New York State Association of Counties), Mrs. Parsons said she learned that about 14 Counties had opted to decrease the sales tax charged for gasoline but were not seeing the expected results in gas prices. She apprised that the Albany County Comptroller had questioned the Sales Tax Division on the enforcement of the decrease in tax and the results had been very controversial as to whether the taxpayers were receiving any savings from the decrease.

Mr. Monroe reminded the Committee that in June they had opted not to adopt a decrease in tax on gasoline sales as the revenue lost from those transactions would have to be added to the property taxes. Mr. Stec stated that it would be a greater burden on the local taxpayers to increase the property taxes than it was to leave the gas tax at the current rate. Mr. Monroe agreed and added that even if the gas tax were decreased the savings would not necessarily be passed on to the taxpayer.

Motion was made by Mr. Belden, seconded by Mr. Tessier and carried unanimously to take no action on the gas tax issue.

Continuing with the Agenda review, Mr. Monroe advised that Items 13A through 13C were requests made by Mr. Dusek. Item 13A, Mr. Monroe apprised, was a request to amend Resolution No. 463 of 2006 regarding the agreement with the Adirondack Hot Air Balloon Festival. Item 13B he said, was an update on the status of the bill from Clark Patterson Associates and authorization for them to do the architecture for the existing Family Court area; and, he added, Item 13C was a request for County participation in regard to the NYSAC, (New York State Association of Counties), Conference.

Privilege of the floor was extended to Mr. Dusek who began by addressing Item 13A of the Agenda. He said that there had been a slight error in Resolution No. 463 of 2006 which said that the Airport could not be used by the Adirondack Balloon Festival on an exclusive basis and that the County may allow helicopters to be present during the Festival. He noted that the verbiage was used in the 2005 resolution but at that time the helicopter issue was resolved and they were not allowed; the same wording should not have been included in the 2006 resolution and needed to be corrected, Mr. Dusek stated.

Motion was made by Mr. Belden, seconded by Mr. Stec and carried unanimously to approve the request as presented and the necessary resolution was authorized for the next Board meeting.

Mr. Dusek advised that Item 13B referred to the Clark Patterson Associates contract for work proposed on the new Health and Human Services Building and the addition to the Municipal Center. He said he had been informed that there was a request for Clark Patterson Associates to also redesign the Family Court Area, because of the need for Family Court to eventually be

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expanded to the current Board of Supervisors area. The alterations were not included with the estimates given for the new building and the addition to the Municipal Center, Mr. Dusek added.

Mr. Dusek apprised that part of the agreement held with Clark Patterson Associates stated that all renovations would be done on an hourly basis throughout the County Buildings and they now wanted to adjust their fees based on the additional work requested. He said that he wanted to be sure the Committee was aware of the fact, and noted that he received the updated contracts on the Monday prior to the meeting and had not had an opportunity to review them. Mr. Dusek suggested that he be authorized to discuss the changes with Clark Patterson Associates and return to the August Board meeting, if possible, with the results so that the project could keep moving.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to authorize Mr. Dusek to review the contract with Clark Patterson for further consideration at the August 18<sup>th</sup> Board meeting.

Mrs. Parsons stated that in reviewing the bill submitted by Clark Patterson Associates she noticed that the dollar amounts were higher for the services being provided. She said that when Mr. Dusek completed his review the Capital Project amount and the borrowing amount authorized would have to be increased to accommodate the expense and suggested that a resolution be approved to authorize the increases. Mrs. Parson advised that the Court area had asked that the Board of Supervisors formally respond by resolution in support of their request for additional space.

Mr. Belden questioned the difference in the billing received by Clark Patterson Associates and Mrs. Parsons replied that the initial bill reflected a total of \$481,636 and the second was for \$797,115 and only \$700,000 was currently appropriated for those expenses, she added.

Mr. Dusek reminded the Committee that the total fees were not included in the original resolution authorizing the contract because the County could only authorize expenditure of funds through the SEQRA, (State Environmental Quality Review Act), process. He apprised that the intent had been to re-adjust the figures and continue from that point once the SEQR approval had been received, enabling the County to bond all of the services from start to finish. Mr. Dusek advised that the situation was complicated legally because of the maneuvers used to ensure the bonding for the whole project and reflected part of the difference in the invoices. He added that the confusion was compounded by the addition of the Family Court alterations, but it was his hope that once the contract review was complete he could return to the Committee and clear the confusion.

Motion was made by Mr. VanNess, seconded by Mr. Bentley and carried unanimously to approve the plan for the proposed renovations submitted by the Court System. The necessary resolution was authorized for the next Board meeting.

Mr. Remington entered at 11:15 a.m.

Mr. Dusek advised that Item 13C referred to a request for a budgetary appropriation to assist with the NYSAC Conference being held at the Fort William Henry on September 27<sup>th</sup> through the 29<sup>th</sup>. He noted that he had contacted NYSAC with regard to the request and was notified that it was a tradition for the County hosting the event to contribute; Mr. Dusek added he was told that in the prior year Monroe County had made a donation in the neighborhood of \$10,000 to the event.

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Although the County was not legally bound to make the donation, Mr. Dusek advised, it was a request made by NYSAC.

Mr. Belden stated that because attendees of the Conference would be staying in hotels during the event the funding should come from the Occupancy Tax fund. Mr. Kenny advised that NYSAC could apply for Occupancy Tax funding but he did not think they would qualify for more than \$5,000; he added that he was in support of donating the full \$10,000, but it could not be contributed solely from that Fund. Mr. VanNess suggested that \$5,000 be contributed by the Occupancy Tax Fund and the balance from another source; Mr. Kenny said he was in support of that. Mr. Dusek advised that a source of funding for the balance needed to be determined and included in the motion and Mr. Belden suggested that the balance of the funds be transferred from the Contingent Fund.

Mr. Monroe asked if there would be any legal problems with the donation as NYSAC was a private association and Mr. Dusek replied that there was a County Law under New York State Law allowing for contributions to NYSAC, specifically, and a pro-rated share of dues could be paid to that organization.

Motion was made by Mr. Belden, seconded by Mr. VanNess to contribute \$10,000 to the NYSAC Conference with part of the funds from Occupancy Tax and the balance to come from Contingent Fund. The necessary resolution was authorized for the next Board meeting.

Concluding the Agenda review, Mr. Monroe noted that items approved by the Personnel Committee that required Finance Committee action were Items 1B, 4 and 6A.

Motion was made by Mr. Stec, seconded by Mr. Belden and carried unanimously to approve the aforementioned Personnel Items 1B, 4 and 6A. (*Please see the minutes of the August 9, 2006 Personnel Committee meeting for details.*)

Mr. Monroe asked if there was any further business to be discussed by the Committee and Mr. Belden suggested that due to increasing prices, he would recommend a 10% increase in the snow and ice contracts with each Town in the 2007 Budget. The other Committee members were in agreement with the suggestion. Mr. Remington noted that Washington County had also requested an increase in their contracts.

General discussion ensued.

Mr. Belden advised that Mr. Merlino had submitted a request for assistance from the County to repair the bridge that was lost on Glens Falls Mountain Road in the Town of Lake Luzerne due to storm damage. He added that the cost to repair the bridge had been estimated at \$167,400. Mr. Remington noted that an engineer had been dispatched to estimate the damages and the cost of repairs. Mr. Merlino advised that from the Town of Lake Luzerne there were only two roads to get to South Queensbury and South Glens Falls, and Glens Falls Mountain Road was one of them. He added that he received several phone calls each day asking when the road would be re-opened; he noted that the road had been closed for about three weeks. Mr. Merlino stated that the initial estimate received for repairs to the bridge was \$350,000, but subsequently an estimate was received from another company estimating the repairs at \$167,400. He apprised that he was requesting funding from Warren County because the Town of Lake Luzerne lacked the funds due to the repair of other roads and bridges.

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Mr. Champagne asked if Warren County had helped to finance Town bridges in the past and Mr. Remington said that they had not. Mr. Monroe related that the major concern was that a precedent of financing Town projects would be set and could be costly in the future. Mr. Champagne agreed with Mr. Monroe's statement and Mr. VanNess stated that although he would like to help the Town of Lake Luzerne as much as possible, he also felt that financing the repairs was not an appropriate standard to set.

It was the consensus of the Committee that Warren County would continue to assist with engineering and related services that DPW could provide, but could not provide financial assistance.

There being no further business to come before the Finance Committee, on motion by Mr. VanNess and seconded by Mr. Belden, Mr. Monroe adjourned the meeting at 11:30 a.m.

Respectfully Submitted,  
Amanda M. Allen, Legislative Office Specialist  
for Joan Sady, Clerk of the Board